

Articles of Confederation and Perpetual Union

While the Declaration of Independence was under consideration in the Second Continental Congress, and before it was finally agreed upon, measures were taken for the establishment of a constitutional form of government; and on June 11, 1776, it was

“Resolved, That a committee be appointed to prepare and digest the form of a confederation to be entered into between these Colonies”

The committee was appointed the next day, June 12, and consisted of a member from each Colony, namely: Mr. Bartlett, Mr. S. Adams, Mr. Hopkins, Mr. Sherman, Mr. R. R. Livingston, Mr. Dickinson, Mr. McKean, Mr. Stone, Mr. Nelson, Mr. Hewes, Mr. E. Rutledge, and Mr. Gwinnett.

Some Continental Congress delegates had informally discussed plans for a more permanent union than the Continental Congress, whose status was temporary.

Congress began to discuss the form this government would take on July 22, 1776 disagreeing on a number of issues, including whether representation and voting would be proportional or state-by-state.

The Albany Plan, an earlier pre-independence attempt at joining the colonies into a larger union, had failed in part because the individual colonies were concerned about losing power to another central institution.

As the American Revolution gained momentum, however, many political leaders saw the advantages of a centralized government that could coordinate the Revolutionary War.

Again, the New York provincial Congress sent a plan of union to the Continental Congress, which, like the Albany Plan, continued to recognize the authority of the British Crown.

Benjamin Franklin had drawn up a plan for “Articles of Confederation and Perpetual Union.” While some delegates, such as Thomas Jefferson, supported Franklin’s proposal, many others were strongly opposed. Franklin introduced his plan before Congress on July 21, but stated that it should be viewed as a draft for when Congress was interested in reaching a more formal proposal. Congress tabled the plan.

The disagreements delayed final discussions of confederation until October of 1777. By then, the British capture of Philadelphia had made the issue more urgent.

Delegates finally formulated the Articles of Confederation, in which they agreed to state-by-state voting and proportional state tax burdens based on land values, though they left the issue of state claims to western lands unresolved.

The Continental Congress adopted the Articles of Confederation, the first constitution of the United States, on November 15, 1777.

The Articles of Confederation served as the written document that established the functions of the national government of the United States after it declared independence from Great Britain. It established a weak central government that mostly, but not entirely, prevented the individual states from conducting their own foreign diplomacy.

Congress sent the Articles to the states for ratification at the end of November. Most delegates realized that the Articles were a flawed compromise, but believed that it was better than an absence of formal national government.

On December 16, 1777, Virginia was the first state to ratify. Other states ratified during the early months of 1778. When Congress reconvened in June of 1778, the delegates learned that Maryland, Delaware and New Jersey refused to ratify the Articles. The Articles required unanimous approval from the states.

These smaller states wanted other states to relinquish their western land claims before they would ratify the Articles. New Jersey and Delaware eventually agreed to the conditions of the Articles, with New Jersey ratifying on Nov 20, 1778, and Delaware on Feb 1, 1779. This left Maryland as the last remaining holdout.

Irrked by Maryland's recalcitrance, several other state governments passed resolutions endorsing the formation of a national government without the state of Maryland.

However, other politicians, such as Congressman Thomas Burke of North Carolina, persuaded their governments to refrain from doing so, arguing that without unanimous approval of the new Confederation, the new country would remain weak, divided, and open to future foreign intervention and manipulation.

Meanwhile, in 1780, British forces began to conduct raids on Maryland communities in the Chesapeake Bay. Alarmed, the state government wrote to the French minister Anne-César De la Luzerne asking for French naval assistance.

Luzerne wrote back, urging the government of Maryland to ratify the Articles of Confederation. Marylanders were given further incentive to ratify when Virginia agreed to relinquish its western land claims, and so the Maryland legislature ratified the Articles of Confederation on March 1, 1781.

Under the Articles, the new nation was organized as a federal union of independent states with authority vested in a single body, the Congress of Confederation. There was no Executive Branch and no provision for a federal Judiciary except for certain cases of court-martial.

Congress had only those powers, and they were few, specifically granted to them by the states as common concerns. These chiefly related to military and foreign diplomatic initiatives required in the face of war with Great Britain.

The Continental Congress voted on January 10, 1781 to establish a Department of Foreign Affairs; on August 10 of that year, it elected Robert R. Livingston as Secretary of Foreign Affairs. The Secretary's duties involved corresponding with US representatives abroad and with ministers of foreign powers. (Williams)

The Secretary was also charged with transmitting Congress' instructions to U.S. agents abroad and was authorized to attend sessions of Congress. A further Act of February 22, 1782, allowed the Secretary to ask and respond to questions during sessions of the Continental Congress.

The weakness of this confederation became increasingly apparent when the War for Independence was over and the staggering debt repayment, which Congress under the Articles could proportionally assess but not directly collect, became a point of conflict between the states and a source of intense domestic strife within several of the states. (Williams)

The Articles limited the rights of the states to conduct their own diplomacy and foreign policy proved difficult to enforce, as the national government could not prevent the state of Georgia from pursuing its own independent policy regarding Spanish Florida, attempting to occupy disputed territories and threatening war if Spanish officials did not work to curb Indian attacks or refrain from harboring escaped slaves.

Nor could the Confederation government prevent the landing of convicts that the British Government continued to export to its former colonies.

In addition, the Articles did not allow Congress sufficient authority to enforce provisions of the 1783 Treaty of Paris that allowed British creditors to sue debtors for pre-Revolutionary debts, an unpopular clause that many state governments chose to ignore.

Consequently, British forces continued to occupy forts in the Great Lakes region. These problems, combined with the Confederation government's ineffectual response to Shays' Rebellion in Massachusetts, convinced national leaders that a more powerful central government was necessary.

The need for a stronger Federal government soon became apparent and eventually led to the Constitutional Convention in 1787.

The present United States Constitution replaced the Articles of Confederation on March 4, 1789.

Important milestones related to the Articles of Confederation include the following references in the Journals of the Continental Congress:

June 11, 1776 - The Continental Congress resolved "that a committee be appointed to prepare and digest the form of a confederation to be entered into between these colonies."

June 12, 1776 - The committee members were appointed "to prepare and digest the form of a confederation to be entered into between these colonies."

July 12, 1776 - The first draft of the Articles of Confederation was presented to the Continental Congress.

November 15, 1777 - The Continental Congress adopted the Articles of Confederation.

November 17, 1777 - The Articles of Confederation were submitted to the states with a request for immediate action.

June 25, 1778 - A committee of three was appointed to prepare the form of a ratification of the Articles of Confederation.

June 26, 1778 - The Articles of Confederation were ordered to be engrossed.

June 27, 1778 - The first engrossed copy was found to be incorrect, and a second engrossed copy was ordered.

July 9, 1778 - The second engrossed copy of the Articles of Confederation was signed and ratified by the delegates from eight states: New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Virginia, and South Carolina.

July 21, 1778 - North Carolina delegates signed the ratification of the Articles of Confederation.

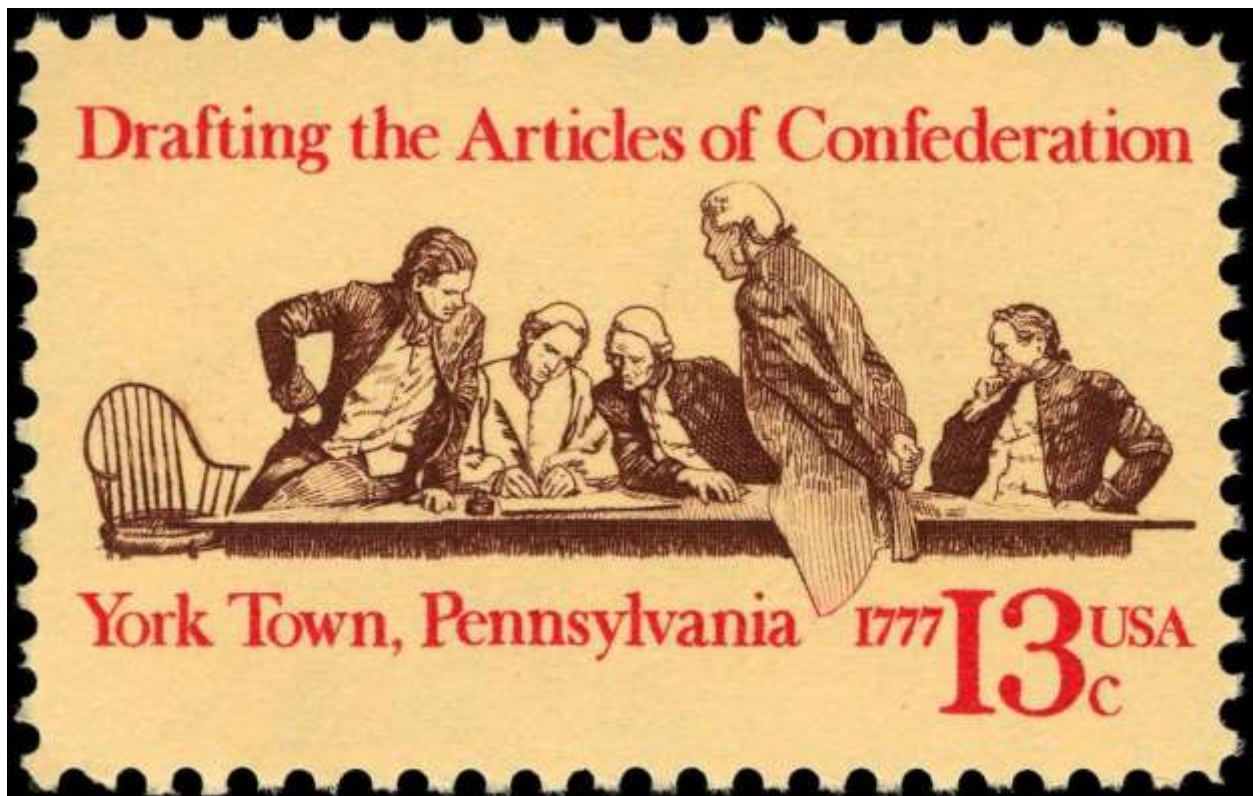
July 24, 1778 - Georgia delegates signed the ratification of the Articles of Confederation.

November 26, 1778 - New Jersey delegates signed the ratification of the Articles of Confederation.

May 5, 1779 - Delaware delegates signed the ratification of the Articles of Confederation.

March 1, 1781 - Maryland delegates signed the ratification of the Articles of Confederation. The Articles were finally ratified by all thirteen states.

February 21, 1787 - Congress approved a plan to hold a convention in Philadelphia to revise the Articles of Confederation.



1977 13-cent U.S. Postage stamp commemorating the Articles of Confederation bicentennial; the draft was completed on November 15, 1777

Information here is primarily from National Archives' Library of Congress; Williams College

In an effort to provide a brief, informal background summary of various people, places and events related to the American Revolution, I made this informal compilation from a variety of sources. This is not intended to be a technical reference document, nor an exhaustive review of the subject. Rather, it is an assemblage of information and images from various sources on basic background information. For ease in informal reading, in many cases, specific quotations and citations and attributions are often not included – however, sources are noted in the summary. The images and text are from various sources and are presented for personal, noncommercial and/or educational purposes. Thanks, Peter T. Young